

## MEMORANDUM

Agenda Item No. 11(A)(10)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

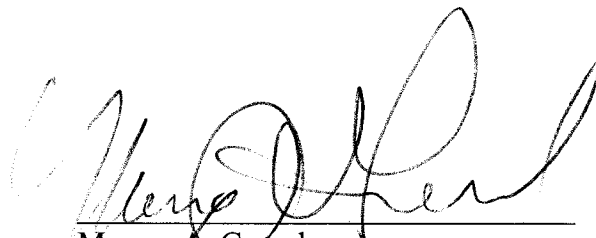
**DATE:** May 9, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution calling countywide  
election with regard to  
County Commissioners'  
salaries

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The accompanying resolution was prepared and placed on the agenda at the request of  
Commissioner Bruno A. Barreiro and Commissioner Dennis C. Moss.



Murray A. Greenberg  
County Attorney

MAG/bw



# MEMORANDUM

(Revised)

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**DATE:** May 9, 2006

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County Attorney

**SUBJECT:** Agenda Item No. 11(A)(10)

Please note any items checked.

- \_\_\_\_\_ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- \_\_\_\_\_ 6 weeks required between first reading and public hearing
- \_\_\_\_\_ 4 weeks notification to municipal officials required prior to public hearing
- \_\_\_\_\_ Decreases revenues or increases expenditures without balancing budget
- \_\_\_\_\_ Budget required
- \_\_\_\_\_ Statement of fiscal impact required
- \_\_\_\_\_ Bid waiver requiring County Manager's written recommendation
- \_\_\_\_\_ Ordinance creating a new board requires detailed County Manager's report for public hearing
- \_\_\_\_\_ Housekeeping item (no policy decision required)
- \_\_\_\_\_ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(10)  
4-25-06

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CALLING A SPECIAL ELECTION IN CONJUNCTION WITH A COUNTYWIDE ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 5, 2006, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER SO THAT COUNTY COMMISSIONERS NO LONGER RECEIVE THE \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT SHALL RECEIVE INSTEAD THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$88,919) AND USED BY OTHER FLORIDA COUNTIES, INCLUDING BROWARD COUNTY

**WHEREAS**, Miami-Dade County established an annual salary of \$6,000 for County Commissioners in 1957, when the County's Home Rule Charter was adopted; and

**WHEREAS**, the demands of the position of County Commissioner have grown substantially, while the salary has remained the same; and

**WHEREAS**, Miami-Dade County is the most populous county in the State of Florida with a population of approximately 2.3 million residents and a budget in excess of \$6.8 billion; and

**WHEREAS**, other counties in the State of Florida compensate their Commissioners based on a state statutory formula based on population,

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. A special election in conjunction with a countywide election in Miami-Dade County is hereby called and shall be held in Miami-Dade County, Florida on Tuesday,

September 5, 2006, for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such special election shall be published in accordance with section 100.342 of the Florida Statutes.

Section 3. The result of such special election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the question. The polls at such special election shall be open from 7:00 A.M. until 7:00 P.M. on the day of such special election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said special election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until thirty (30) days prior to the date of such special election, at which time the registration books will close in accordance with the provisions of the general election laws. The question shall appear in substantially the following form:

MIAMI-DADE HOME RULE CHARTER AMENDMENT  
RELATING TO SALARY OF COUNTY COMMISSIONERS

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT COUNTY COMMISSIONERS NO LONGER RECEIVE THE \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT SHALL RECEIVE INSTEAD THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$88,919) AND USED BY OTHER FLORIDA COUNTIES, INCLUDING BROWARD COUNTY?

YES ☐

NO ☐

Section 4. The form of the ballot shall be in accordance with the requirements of the general election laws.

Section 5. Early voting shall be conducted in accordance with the requirements of the general election laws.

Section 6. Absentee paper ballots may be used by qualified electors of Miami-Dade County for voting on this question at said special election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO" following the statement of the question or proposal aforesaid.

Section 7. A sample ballot showing the manner in which the question or proposal aforesaid will appear at this special election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 8. This special election on the question aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to special elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections, and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This special election shall be a nonpartisan election. Election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

Section 9. This special election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by Commissioner Bruno A. Barreiro and Commissioner Dennis C. Moss and offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

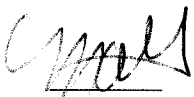
The Chairperson thereupon declared the resolution duly passed and adopted this 9th day of May, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Murray A. Greenberg

ARTICLE-1<sup>1</sup>

**BOARD OF COUNTY COMMISSIONERS**

\* \* \*

**Section 1.06. Salary.**

Each County Commissioner shall receive a salary ~~[[of \$6,000 per year payable monthly]]~~>>determined pursuant to general law applicable to non-charter counties<< and shall be entitled to be reimbursed for such reasonable and necessary expenses as may be approved by the Board.

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<sup>1</sup>Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.